

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

3 CALIFORNIA COALITION FOR WOMEN
4 PRISONERS; R.B.; A.H.R.; S.L.; J.L.; J.M.;
5 G.M.; A.S.; and L.T., individuals on behalf of
6 themselves and all others similarly situated,

CASE NO. 4:23-CV-04155-YGR

7 Plaintiffs

8 v.

9 UNITED STATES OF AMERICA FEDERAL
10 BUREAU OF PRISONS, a governmental entity;
11 BUREAU OF PRISONS DIRECTOR
12 COLETTE PETERS, in her official capacity;
13 FCI DUBLIN WARDEN THAHESHA JUSINO,
14 in her official capacity; OFFICER
15 BELLHOUSE, in his individual capacity;
16 OFFICER GACAD, in his individual capacity;
OFFICER JONES, in his individual capacity;
LIEUTENANT JONES, in her individual
capacity; OFFICER LEWIS, in his individual
capacity; OFFICER NUNLEY, in his individual
capacity, OFFICER POOL, in his individual
capacity, LIEUTENANT PUTNAM, in his
individual capacity; OFFICER SERRANO, in
his individual capacity; OFFICER SHIRLEY, in
his individual capacity; OFFICER SMITH, in his
individual capacity; and OFFICER VASQUEZ,
in her individual capacity,

17 Defendants.

DECLARATION OF DENNIS M. WONG

18 I, Dennis M. Wong, hereby declare as follows:

19 1. I am the Regional Counsel for the Western Region for the Federal Bureau of Prisons (“BOP”). I
20 have been in this position since 2012 and have worked as an attorney for the BOP since 1994.
21 As Regional Counsel, I oversee BOP legal offices that provide legal counsel to federal prisons in
22 the Western Region, by managing supervisory-level attorneys in the Western Region. My
23 responsibilities include managing resources to support my legal staff, providing legal guidance to
24 BOP staff, and providing litigation support to the U.S. Attorney’s Offices as needed. As part of
25 the litigation support process, I obtain and review applicable records and communicate with BOP
26 staff in order to prepare documents that will be used in litigation, such as a declaration.
27 2. I am familiar with, and have regular access to BOP records and databases, and routinely obtain
28 and review such records as part of my duties as Regional Counsel.

3. On February 15, 2024, I assisted with the preparation of a declaration for Warden Arthur Dulgov, Interim Warden at the Federal Correctional Institution (“FCI”) at Dublin, California, in response to a request for assistance from Madison Mattioli, Assistant U.S. Attorney, from the District of Montana. Ms. Mattioli asked for a declaration from someone in the BOP to explain the events leading to the transfer of R. F. [REDACTED], BOP Register Number [REDACTED] (“R.F.”) from FCI Dublin on February 6, 2024. As BOP agency counsel Robert France was on leave during this week, I volunteered to assist, given the short turnaround time. Additionally, I was called on to advise on R.F.’s housing placement upon her return to FCI Dublin.
4. As part of the process for the preparation of Warden Dulgov’s declaration, I reviewed emails and other documents from different FCI Dublin staff related to R.F.’s placement in the Special Housing Unit (“SHU”) on January 31, 2024, at FCI Dublin, and her subsequent hunger strike, through her transfer from FCI Dublin to the Metropolitan Detention Center (“MDC”) at Los Angeles, California, on February 6, 2024. I spoke to numerous FCI Dublin staff to ensure I had an accurate understanding of the BOP records I was reviewing, and to ascertain the possible existence of other BOP records and information I might be missing related to R.F.’s SHU placement and hunger strike. Through this investigatory process which took place February 15-16, 2024, I did not see adequate documentation to support R.F.’s initial placement in SHU based on my review of the underlying records. As a result, I recommended that R.F. not be returned to SHU, despite the potential validity of the allegations and other reasons that might have properly supported her placement in SHU on January 31, 2024.

I declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed this 23rd day of February 2024.


DENNIS M. WONG
Regional Counsel